UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/414
19 May 1998

ORIGINAL: ENGLISH

LETTER DATED 19 MAY 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to transmit herewith a statement by Mr. Seyoum Mesfin, Minister of Foreign Affairs of the Federal Democratic Republic of Ethiopia, to the diplomatic community in Addis Ababa on the military aggression by Eritrea.

I should be grateful if you would kindly circulate this letter and its annex as a document of the Security Council.

(Signed) Fesseha A. TESSEMA
Chargé d'affaires a.i.

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Annex

Statement to the diplomatic community in Addis Ababa on the military aggression by Eritrea issued on 19 May 1998 by the Minister of Foreign Affairs of Ethiopia

Those of you who have been following Ethiopia's and this Government's foreign policy activities over the past seven years can hardly fail to appreciate how much we have been preoccupied with never again allowing our people to slide back into that most difficult period of war and destruction that was the fate of our peoples for three decades.

Over the last seven years, peace has been our fixation and because of the opportunities we squandered for decades and to make up for the time lost, time that was frittered away with so much abandon and irresponsibility in the past, we gave all we have - energy, time and resources - to the task of economic development.

We have also always been very conscious of one important point - our peace and Ethiopia's stability and security could not be ensured without peace and stability in our subregion; that is why we have been so much committed to assisting in peacemaking and national reconciliation in our part of the African region.

We also have other reasons for having been so active in peacemaking in our subregion. It requires little reminding that our subregion has probably been one of the few regions of the world to have acquired a very damaging image internationally because of political instability, lack of security and war. We thought that this image needed to be changed, which perforce could be achieved only when the underlying reality of conflict and misunderstanding was solved. We thought that without success in this area, it would be virtually impossible to change the economic reality in our subregion which necessitated making our countries effective and worthwhile partners for others.

That is why the war of aggression against Ethiopia launched by Eritrea on 12 May 1998 has such immense implications for us and for our subregion. It is not simply anger that has been elicited by that blatant violation of Ethiopia's sovereignty and of international law by Eritrea. It is also anguish because of its potential in terms of diverting us from our priorities. War cannot be our priority and it cannot be the priority of the Eritrean people.

Honestly speaking, this crisis created by the aggression committed by the State of Eritrea is also an embarrassment, not only for Ethiopia but also for our region in general. I say this because I know, at least I can guess, what might have been in your minds when you heard about this ugly development between Eritrea and Ethiopia - two countries that have promised the world that peace is their priority and war making is not in their agenda and that have pledged to help bring about a new era of prosperity and peace in a subregion which has lost so much time in economic development and whose people have suffered so much.

But, as the Chinese saying goes, one cannot clap with one hand; you need partners for peace and, try as much as you can, if others fail to cherish peace and its rewards, your commitment alone will not suffice. That is the sad reality that we and our peoples have been made to realize by this Eritrean aggression.

I would now like to turn to the facts surrounding this sad event and to this aggression by the State of Eritrea.

There has been a lot of prevarication and lack of transparency and sheer fabrication on the part of the Eritrean authorities regarding the events of the past week as well as the background to the Eritrean aggression. Accordingly, it is vital that the international community gets all the facts in connection with what has really happened between Ethiopia and Eritrea.

First of all, it is a fact that the borders between Ethiopia and Eritrea are not fully delimited and demarcated, this despite a series of agreements between Ethiopia and Italy, the then colonial power in Eritrea. As you all know, in subsequent years, since Eritrea was part of Ethiopia, border issues had no cause to figure prominently in relations between the people of Ethiopia and the people of Eritrea.

Naturally, because the borders between Ethiopia and Eritrea were not fully delimited and demarcated, it would not be extraordinarily surprising if there were to be disputes between the two countries regarding various localities along their common borders following Eritrea's independence, all the more so because, since the two peoples had lived under the same fold, a precise delineation of jurisdiction is bound to require patience and wisdom.

That was what was agreed by the two sides upon the overthrow of the military regime in Ethiopia and Eritrea's de facto independence, which continued when Eritrea became formally independent in 1993. Specifically, the two sides, having acknowledged the existence of disputes between them regarding various localities along their common borders, agreed to solve these disputes through bilateral negotiations and also agreed, in the event of failure to resolve the issue in bilateral negotiations, to resort to third-party involvement, including eventually to arbitration, should that be necessary.

This was the understanding between the two countries until 12 May 1998, when for reasons known only to the Eritrean authorities, decisions were made in Asmara to invade Ethiopian territory by deploying three brigades assisted by tanks.

Despite the statements coming out of Asmara about the localities invaded by Eritrean troops being Eritrean, the truth is that the locality of Badme and part of Shiraro, which are now under the occupation of Eritrean troops, have never ever been part of Eritrea, neither during Italian colonial time, nor during the periods of different regimes in Ethiopia. These localities in north-west Ethiopia have always been administered by Ethiopia and have always been under its jurisdiction. The Asmara authorities know this and the peoples of the localities know this. Any claim to the contrary is an absolute fabrication which has no basis in fact.

But the fact that these localities are disputed and are claimed by Eritrea, as others within the frontiers of Eritrea are claimed by Ethiopia, is something which both sides acknowledge, and it was on the basis of this realization that a joint commission was established between the two sides with the view to seeking peaceful resolution of the disputes.

Let me add here that because those localities within Ethiopia which are now occupied by Eritrea were disputed localities and because of Ethiopia's conviction that Eritrea could not be a source of threat to Ethiopia, not only Badme and its environs, but the whole Ethiopian territory in that part of our country has been left virtually free of the presence of Ethiopian regular troops. Peace and security was thus maintained in Badme and its environs by local police and local militia, thus making that part of Ethiopia essentially a demilitarized zone. When Asmara decided to make the military move, it knew that its mechanized troops would only have before it, defending Ethiopian territory and its sovereignty, a local militia and local police, which indeed put up a heroic resistance, sustaining some casualties in the process.

This is the background to this sad development in the north-western part of our country.

Eritrea wanted to create facts on the ground through military means and in flagrant violation of international law, thereby also violating Ethiopia's sovereignty and its territorial integrity.

This is also the background to the short statement issued on 13 May 1998 by the Council of Ministers of the Federal Democratic Republic of Ethiopia after approval by the Council of Peoples' Representatives.

That statement demands that "the Eritrean Government unconditionally and immediately withdraw from Ethiopian territory and cease its provocative and belligerent activity". And the statement further makes it clear that "in the event that the Eritrean Government and the Popular Front do not desist from this dangerous action and withdraw from Ethiopian territory without any precondition, the Ethiopian Government will take all the necessary measures that the situation demands to safeguard the sovereignty and territorial integrity of our country".

There are few people in the world who have had a greater share of wars and suffering than the peoples of Ethiopia and Eritrea. As such, our Government is fully aware of the heavy burden of responsibility on its shoulders. This is one side of the ledger. On the other hand, this Government has the responsibility towards the Ethiopian people to ensure that their sovereignty is protected and defended and, to the international community, to ensure that those who violate international law and international legality so flagrantly and so irresponsibly are not rewarded.

As such, Ethiopia has made it clear that negotiation on this latest development between Eritrea and Ethiopia and on the surrounding events and issues can take place only following the unconditional withdrawal of Eritrean troops from Ethiopian territory.

Some friendly countries, over the past few days, have provided their good offices to both countries to facilitate a peaceful resolution of this crisis created by Eritrea. We are appreciative of this gesture by common friends of the peoples of Ethiopia and Eritrea. Because of our keen interest to exhaust whatever diplomatic openings are available and because of the responsibility we have to do whatever is necessary, we have shown readiness to explain our position to these friends, the thrust of our message being that Eritrean troops would have to withdraw from Ethiopian territory unconditionally for negotiations to commence between the two countries on whatever disputes there might be between them. In other words, for negotiation to commence, there is no alternative but the establishment of the status quo ante in Badme and its environs that has prevailed prior to the invasion. It would be total irresponsibility on Ethiopia's part to commence negotiations with those who started out deliberately to create facts on the ground through military means and then who try to assume a peaceful disposition. Aggression should not be rewarded and that is what the Asmara authorities are trying to achieve by trying to hoodwink the international community through various declarations from Asmara, including through the statement issued on 14 May 1998.

The essence of that statement and its thrust is prevarication. Asmara condemns the use of force after committing aggression so blatantly. It talks about the temporary demilitarization of disputed areas after having invaded Ethiopian localities that have to all intents and purposes been demilitarized. It talks about third-party involvement as if there had not been such an understanding prior to the Eritrean military aggression. It talks about the resolution of border disputes through mediation or arbitration as if these have not been already agreed to prior to the invasion. All these are attempts to pretend that there are other issues where there are none. Because all these are issues over which there is already understanding between the two sides.

It appears to me that it should not be Ethiopia's sole responsibility to send a clear and an unambiguous message to those like Eritrea, namely that violating international borders and violating international law is not a joke. You do not invade sovereign States and then invite them to talk. The Asmara authorities are trying to be smarter by half. But this duplicity should not be ignored by the international community because the implications are broad and serious. Nobody knows what the Asmara authorities might do tomorrow. Their pattern of behaviour is so dangerous that they need to be told right away enough is enough. They need to be told that there is international law and there are principles and norms governing civilized behaviour among States. To allow the Asmara authorities to get what they want through prevarication is to confirm to them that what the international community is governed by is the law of the jungle. This is the responsibility of the international community and it is also the responsibility of Ethiopia. Ethiopia also has the responsibility of protecting its sovereignty and dignity.